

### ARTICLE 3 -- POLICY-MAKING PROCESS

#### 126A – 17 Public Process for Policy Adoption, Amendment and Repeal

It is the policy of the State of North Carolina that policies and procedures implementing and administering the State's human resources programs and activities shall be adopted, amended or repealed in a process that provides opportunity for interested persons and groups to receive advance notice of the policy and procedure-making process, participate in providing input to the process and otherwise be part of the process. The policy and procedure-making process for the Human Resources System shall be as follows:

- (a) The Office shall announce proposed new and revised policies or rules to all State agencies and local governing boards and jurisdictions subject to this Chapter and other affected parties in an established written format. The Office in conjunction with all State **and local** agencies, shall announce all proposed changes to affected employees. The Office shall provide a period of sixty (60) calendar days for submitting written comments.
- (b) Subsequent to the conclusion of the comment period, the Office shall establish a date for a public hearing. The public hearing shall not occur sooner than ten (10) calendar days following the end of the comment period. The Office shall announce the public hearing consistent with (a) above. Any person, party or organization interested in the proposed policy, amendment or repeal may request an opportunity to speak at the public hearing. Any person, party or organization interested in the proposed policy, amendment or repeal may provide written comments in lieu of appearing at the public hearing upon request.
- (c) The Office shall conduct the public hearing as scheduled. At the hearing, the comments, either from a presentation or submitted in writing, shall be heard and recorded. The Director or a designee shall provide a report of the public hearing to the Commission.
- (d) The Commission shall review all comments received, in whatever form, make any revisions deemed necessary to the proposal, and consider approval of the proposal. If the proposal is approved, the Director shall announce an effective date of the policy that is no sooner than thirty (30) days after the final policy is announced. The Director or designee shall make available a copy of the policy action taken as a result of this process.
- (e) The human resources policies, procedures and programs of the State in effect on July 1, 2005 shall remain in effect until repealed or modified in accordance with the provisions of this Chapter.